

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

March 2, 2004

SUBJECT: Amendment to Detailed Application
CPD2000-0002Y for Comprehensive
Planned Development CPD1995-0002,
King Farm

DRAFT

New Case: CPD2003-002Y3

Applicant: King Farm Associates
8330 Boone Blvd.
Vienna, VA 22182

Owner: King Farm Associates, LLC

Date Filed: August 5, 2003

Location: A portion of the King Farm
development within the Baileys Commons development area, in the general vicinity of
King Farm Blvd. and Pleasant Drive.

REQUEST:

The applicant seeks to amend Detailed Application CPD2000-0002Y in order to gain approval for six dumpsters and enclosures for multi-family development within Phase IIB.

PREVIOUS RELATED ACTIONS:

- CPD95-0002, Concept Plan Application for Comprehensive Planned Development approved by Mayor and Council, July 8, 1996.
- CPD96-002A through CPD2000-002AE, Detailed Plan Applications for Comprehensive Planned Development for Phase I, II and III of the King Farm development. The Planning Commission approved all of the applications.

RELEVANT ISSUES

In reviewing the application, the following issues emerged and have been addressed:

- That any homeowner that has a unit being constructed adjacent to this site has been notified of this application.

- That the Town Architect for King Farm has been involved in the process to ensure that the dumpsters are in the least impactful locations and are as aesthetically unobtrusive as possible.

ANALYSIS

Background

In July of 1996, the Mayor and Council approved Concept Plan Application CPD95-0002, thereby authorizing development of the 430-acre King Farm as a major mixed-use development containing up to 3.2 million square feet of office space, 3,200 housing units and 125,000 square feet of neighborhood retail space. The tract is in the O-3, Restricted Office Zone, where a Comprehensive Planned Development is a voluntary optional method of development.

The Planning Commission approved detailed application CPD2000-0002Y in June of 2001, which authorized construction of this phase. The detailed application included 712 units of all styles (multi-family, single family attached and detached), as well as associated parking and open space.

Property Description

The subject property is the Baileys Commons development area of King Farm, generally referred to as Phase 2B. This phase is west of King Farm Boulevard.

Proposal

The applicant is proposing six dumpster locations throughout the Phase. They are located predominantly in the multi-family areas for the benefit of multi-family tenants (see attached).

STAFF RECOMMENDATION

Approval is recommended, subject to the following conditions:

1. Submission, for approval by the Chief of Planning, of eleven (11) copies of the site plan, revised according to Planning Commission Exhibit A.
2. Submission, for approval by the Department of Public Works (DPW), of any necessary detailed plans, studies and computations.
3. Submission for the approval of the Chief of Planning, of 11 copies of a Landscape Plan that is revised according to Planning Commission Exhibit B.
4. Swimming pool backwash and discharge operations shall be directed to the sanitary (WSSC) sewer system or a Notice of Intent must be obtained from MDE to comply with General Discharge Permit for Discharge from Swimming Pools and Spas. Copies of WSSC letter of permission, or MDE NOI shall be submitted to City PDW and Environmental Specialist.

5. Any other notes indicated on Exhibit A.

TRANSPORTATION

Traffic

In accordance with the transportation improvement plans that were approved during the Concept Plan Phase, some off-site transportation improvements were required. These off-site improvements will be at the cost of the developer, and will come out of the \$1.25 million set-aside during the Concept Phase for these improvements.

In addition to these physical improvements, a Transportation Demand Management Program (TDM) has been implemented that was approved by the Chief of Planning, as required by the Resolution of Approval for King Farm.

Parking

There are three parking spaces that will have to be reconfigured to accommodate this application, but there will be no net loss of spaces.

Pedestrian Access and Bicycle Paths

Pedestrian and bike access is provided from a variety of locations, including King Farm Boulevard, Gaither Road and others.

Transit

The City is working with the Applicant and Montgomery County to create the most functional bus transit routes through the community. In addition, there is a programmed transitway stop adjacent to the buildings of Irvington Centre approximately ½ mile to the west of this application that is part of the provided right-of-way of the Corridor Cities Transitway alignment of King Farm Boulevard. Ultimately, this transit stop will be part of the light rail service. This transit stop, as well as a stop near the Village Center, will serve as the focal point of transit services within this development.

As part of the implemented TDM program, King Farm is currently running two shuttle buses through the King Farm development. To date, ridership is high and the shuttle program is popular among the residents.

MODERATELY PRICED DWELLING UNITS (MPDUs)

No MPDUs are affected by this application.

STORMWATER MANAGEMENT

Existing, approved, stormwater management plans for this area will not be altered or affected by this application.

LANDSCAPING

Landscaping for the specific dumpster sites will be modified.

Forest/Tree Preservation

Forest and tree preservation is being accommodated per approved Forest Conservation plans..

Equipment Screening

All transformers or telecommunications equipment is required by the City of Rockville to be placed underground. If the applicant proposes to place equipment above ground, it must be subject to approval of waiver of the City's underground utility requirements by the City of Rockville Planning Commission.

ART IN PRIVATE DEVELOPMENT

This is an amendment to an approved application that results in no addition of units. No provision for art is required.

STAFF COMMENTS

This application is consistent with the approved Concept Plan, and staff recommends approval subject to the conditions listed earlier. Ideally, dumpster enclosures should have been part of the original plan. However, a retrofit to accommodate the dumpsters at this juncture is a practical need that needs to be addressed.

It is Staff's opinion that the applicant has done an acceptable job to ensure that the dumpster enclosures are not obtrusive, minimally impactful to existing residents and aesthetically acceptable.

NOTIFICATION

Notices were sent to approximately 1,275 residences and businesses.

APPROVAL LIMITATIONS

Section 25-193(d) of the Zoning Ordinance requires that **construction or operation must commence within two (2) years of the date of this decision or application approval shall expire.** If the

applicant can show just cause, a maximum of two (2) time extensions may be granted by the Planning Commission, each not to exceed one year. However, time extensions are not automatically approved, and sufficient detail and justification will be required in order for the Planning Commission to consider granting an extension.

CONCLUSION

It is Staff's opinion that this application is consistent with the approved Concept Plan approved by the Mayor and Council for this area of King Farm. As a result, staff recommends approval of Detailed Application amendment CPD2003-002Y2.

Attachments